

WC 06-5

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Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

In the Matter of

Section 63.71 Application of

BellSouth Telecommunications, Inc.

For Authority Pursuant to Section 214 of the  
Communications Act of 1934, as Amended, To  
Discontinue the Provision of Service

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DEC - 8 2005

File No.

Federal Communications Commission  
Office of Secretary

## SECTION 63.71 APPLICATION OF BELLSOUTH TELECOMMUNICATIONS, INC.

BellSouth Telecommunications, Inc. ("BellSouth"), by counsel, applies for authority under Section 214(a) of the Communications Act, as amended (the "Act"), 47 U.S.C. § 214, and Section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue its tariffed Derived Data Channel Service ("DDCS") due to an ongoing lack of market demand. This service was originally tariffed to provide the capability to allow simultaneous data and voice communication over two-wire, or equivalent, loop facilities. There are no existing customers for this service.

Pursuant to Sections 63.71(a) and (b) of the Commission's rules,<sup>1</sup> this application contains the following information:

<sup>1</sup> BellSouth proposes to make these tariff changes as a result of a pending Amendment to its Open Network Architecture ("ONA") Plan eliminating certain network capabilities that are no longer sought by enhanced service providers ("ESPs"). See *In the Matter of BellSouth Open Network Architecture Plan Amendment*, CC Docket No. 88-2, BellSouth 2003 ONA Plan Amendment (filed Oct. 31, 2002), *Memorandum Opinion and Order*, 18 FCC Rcd 5092 ("BellSouth 2003 ONA Plan Amendment Order"), *Memorandum Opinion and Order*, 18 FCC Rcd 15844 (2003).

BellSouth Telecommunications, Inc.  
Section 63.71 Application  
December 8, 2005  
Doc No. 489147

**Name & Address of Carrier (47 C.F.R. §§ 63.71(a)(1), (b)(2)):**

BellSouth Telecommunications, Inc.  
675 West Peachtree Street  
Atlanta, GA 30375-0001

**Date of Planned Service Discontinuance (47 C.F.R. §§ 63.71(a)(2), (b)(2)):** As soon as authorized pursuant to the Commission's rules (47 C.F.R. § 63.71(c)), BellSouth will revise its FCC tariff to remove the service.

**Points of Geographic Areas of Service Affected (47 C.F.R. §§ 63.71(a)(3), (b)(2)):**

DDCS is available under BellSouth's FCC Tariff No. 1. It was previously available under state tariffs in the states of Alabama, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina and Tennessee, but, due to lack of customer demand, has been discontinued in those states and subsequently deleted from the tariffs.

**Brief Description of Type of Service Affected (47 C.F.R. §§ 63.71(a)(3), (b)(2)):**

DDCS provides central office data/voice multiplexing capabilities as more fully described in BellSouth's Tariff F.C.C. No. 1 § 7.4.18. The service satisfies the capabilities identified in BellSouth's ONA plan relating to the Clear Access to Data Portion of Derived Channels Basic Serving Arrangement ("BSA") and the Data over Voice Complimentary Network Service ("CNS").

DDCS was introduced into the BellSouth GSST Tariff and the FCC Tariff in 1993 in order to satisfy the Data Portion of Derived Channels BSA and the Data over Voice CNS network capabilities requested by an ESP under the Commission's ONA regime in 1988. Currently there are no customers for the service. Former customers have either converted to substitute BellSouth provided services such as BellSouth® SynchroNet® service, channelized BellSouth® MegaLink® service, a point-to-point service, or to comparable services provided by

BellSouth's competitors. No customer in BellSouth's service territories will be impeded in its ability to receive services such as basic dial tone or data services from BellSouth as a result of this Application, which only affects services that are ancillary to traditional voice and data services.<sup>2</sup>

**Brief Description of the Dates and Methods of Notice to all Affected Customers (47**

**C.F.R. § 63.71(b)(3)):** BellSouth has no customers for this service; therefore, no notice to customers is required.

**Whether the Carrier is Considered Dominant or Non-dominant with Respect to the Service to be Discontinued (47 C.F.R. § 63.71(b)(4)):** BellSouth is considered a dominant carrier with respect to the service to be discontinued.

**Notification via Copies of this Application to Relevant Authorities (47 C.F.R. § 63.71(a)):** BellSouth has notified and submitted a copy of its application to the public utility commissions and to the governors of the states in which the discontinuance, reduction, or impairment of service is proposed, and also to the Secretary of Defense, as indicated on the Certificate of Service attached to this Application.

\* \* \*

Questions about this application may be addressed to Steven D. Long, Assistant Manager - Federal Regulatory, BellSouth, 1133 21st Street, N.W., Suite 900, Washington, D.C. 20036-3390, (202) 463-4107, email [Steve.Long@BellSouth.com](mailto:Steve.Long@BellSouth.com).

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<sup>2</sup> *BellSouth 2003 ONA Plan Amendment Order*, 18 FCC Rcd at 5096, n.23.

## CONCLUSION

The public convenience and necessity will not be adversely affected by the discontinuance of this service. The service is being discontinued due to lack of market demand. The information provided pursuant to the Commission's rules demonstrates that BellSouth's application to discontinue its DDCS services as described above should be authorized.

Respectfully submitted,

### BELLSOUTH TELECOMMUNICATIONS, INC.

By: /s/ Theodore R. Kingsley  
Theodore R. Kingsley  
Richard M. Sbaratta

Its Attorneys

Suite 4300  
675 West Peachtree Street, N. E.  
Atlanta, GA 30375-0001  
(404) 335-0720  
(404) 335-0738

December 8, 2005

## **CERTIFICATE OF SERVICE**

I do hereby certify that I have on this 8th day of December, 2005 served the following with a copy of the foregoing **SECTION 63.71 APPLICATION OF BELLSOUTH TELECOMMUNICATIONS, INC.** by hand delivery, electronic mail and/or by placing a true and correct copy of the same in the United States mail, postage prepaid, addressed to the parties on the attached service list.

/s/ Juanita H. Lee

Juanita H. Lee

## Service List

Secretary of Defense  
Attn: Special Assistant for Telecommunications  
Pentagon  
Washington, D. C. 20301

The Honorable Bob Riley  
Governor, State of Alabama  
State Capitol  
600 Dexter Avenue  
Montgomery, Alabama 36130

The Honorable John Ellis "Jeb" Bush  
Governor, State of Florida  
Executive Office of the Governor  
The Capitol  
Tallahassee, Florida 32399-0001

The Honorable Sonny Perdue  
Governor, State of Georgia  
Office of the Governor  
Georgia State Capitol  
Atlanta, Georgia 30334

The Honorable Ernie Fletcher  
Governor, State of Kentucky  
700 Capitol Avenue  
Suite 100  
Frankfort, Kentucky 40601

The Honorable Kathleen Babineaux Blanco  
Governor, State of Louisiana  
Office of the Governor  
Attn: Constituent Services  
P. O. Box 94004  
Baton Rouge, Louisiana 70804-9004

The Honorable Haley Barbour  
Governor, State of Mississippi  
P. O. Box 139  
Jackson, Mississippi 39205

The Honorable Michael F. Easley  
Governor, State of North Carolina  
Office of the Governor  
20301 Mail Service Center  
Raleigh, North Carolina 27699-0301

The Honorable Mark Sanford  
Governor, State of South Carolina  
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P. O. Box 12267  
Columbia, South Carolina 29211

The Honorable Phil Bredesen  
Governor, State of Tennessee  
Governor's Office  
Tennessee State Capitol  
Nashville, Tennessee 37243-0001

The Honorable Jim Sullivan  
Chair, Alabama Public Service  
Commission  
100 N. Union Street, 8<sup>th</sup> Floor  
RSA Union Building  
Montgomery, Alabama 36104

The Honorable Braulio L. Baez  
Chair, Florida Public Service  
Commission  
2540 Shumard Oak Blvd  
Tallahassee, Florida 32399-0850

The Honorable Angela Speir  
Chair, Georgia Public Service  
Commission  
Georgia Public Service Commission  
244 Washington Street, SW  
Atlanta, Georgia 30334

The Honorable Mark David Goss  
Chair, Kentucky Public Service  
Commission  
211 Sower Boulevard  
Frankfort, Kentucky 40602

The Honorable Dale C. Sittig  
Chair, Louisiana Public Service  
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The Honorable Bo Robinson  
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Mississippi Public Service Commission  
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The Honorable Jo Ann Sanford  
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The Honorable Randy Mitchell  
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The Honorable Ron Jones  
Chair, Tennessee Public Service  
Commission  
Tennessee Regulatory Authority  
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Nashville, Tennessee 37238

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